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REMARKS

Claims 1 and 2 are pending in the application. Claims 1 and 2 are both independent. Claim 2 has been allowed.

Claim 1 has been amended to correct a spelling mistake pointed out by the Examiner.

Claims Rejections - 35 U.S.C. § 112

Claim 1 stands rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The Examiner maintains that claim 1 contains subject matter that was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention. The Examiner specifically maintains that the device of Figure 1 is inoperable because the sliding valve member blocks powder flow in a dispensing configuration of the device wherein a hole (14) in the sliding valve member (13) is purportedly aligned with an outlet hole (9) and not aligned with a powder container (17, 21), thereby failing to provide a travel path for the powder from the container to the outlet hole.

Applicant respectfully traverses the rejection of claim 1 under 35 U.S.C. § 112, first paragraph. Contrary to the Examiner's contention, the hole (14) in the sliding plate (13) is aligned with both the outlet opening (9) and the powder container (17, 21) in the dispensing configuration of the device. This alignment naturally occurs upon a shifting of sliding plate member for the simple reason that the container (17, 21) is attached to the sliding plate at the opening (14) therein. The container (17, 21) is stationary with respect to the sliding plate and is therefore always aligned with the opening (14) therein.

This structure and concomitant operation of the device of Figure 1 is clear from both the language of claim 1 and the specification. As stated in claim 1, the metering apparatus comprises "a metering container in which an *edge portion* of an upper end opening is *fixed* to an *edge portion* of the through hole of the slide plate" (emphasis added). The same language is found in the specification on page 6, the last three lines of the paragraph bridging pages 5 and 6: "a metering container 17 in which an *edge portion* of an upper end opening 18 is *fixed* to an *edge portion* of the through hole 14 of the slide plate 13" (emphasis added).


For illustration purposes, applicant encloses herewith an annotated drawing sheet containing a photocopy of Figure 1 provided with a phantom or dashed line showing the position of the powder container (17, 21) when the sliding plate (13) has been shifted so that the through hole (14) is aligned with the outlet opening or hole (9).

Conclusion

For the foregoing reasons, independent claim 1 is deemed to satisfy the enablement requirement and to be in condition for allowance. An early Notice passing the application to issue is earnestly solicited.

Should the Examiner believe that direct contact with applicant's attorney would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the number below.

Respectfully submitted,
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ANNOTATED SHEET

